IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL NO. 3:04-cv-00129-W

James A. Whitley,)	
)	
Plaintiff,)	
)	
vs.)	ORDER
TT (C 1710 O) 11 (7)	
Hartford Life & Accident Insurance)	
Company,)	
Defendant.)	
Defendant.)	

THIS MATTER is before the Court on Plaintiff's Motion for Summary Judgment and on Defendant's Motion for Summary Judgment. Pursuant to the oral ruling entered this day in open court, Plaintiff's Motion for Summary Judgment is hereby DENIED, and Defendant's Motion for Summary Judgment is hereby GRANTED.

IT IS SO ORDERED.

Signed: September 25, 2006

Frank D. Whitney
United States District Judge